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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

2005 MAY 11 A 10: 56

DOCKETED

MAY 11 2005

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF
BEAVER VALLEY WATER COMPANY FOR
APPROVAL OF THE SALE OF ITS ASSETS AND
FOR THE TRANSFER OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-02015A-03-0724

PROCEDURAL ORDER

BY THE COMMISSION:

On October 1, 2003, Beaver Valley Water Company ("BVWC" or "Applicant"), filed with the Arizona Corporation Commission ("Commission") an application for approval of the sale of its assets and the transfer of its Certificate of Convenience and Necessity ("Certificate") as required by Decision No. 66388 (October 6, 2003).

By Procedural Order dated March 7, 2005, the hearing in this matter was set for May 9, 2005 and various other procedural deadlines were set.

Specifically, Applicant was ordered to mail notice of the hearing to its existing customers and publish notice of the hearing at least once in a newspaper of general circulation in its service territory, with publication and mailing to be completed no later than April 4, 2005.

It was further ordered that Applicant would file certification of mailing and publication as soon as practicable after the mailing/publication has been completed but not later than April 22, 2005.

On May 9, 2005, a full public hearing was held as scheduled.

Prior to commencement of the hearing, it was noted for the record that there was no evidence in Commission records that the proper certification of mailing and publication had been filed as ordered.

Mr. Michael Davoren, the proposed transferee of Beaver Valley, averred that he had undertaken both mailing and publication of notice as set forth in the March 7, 2005 procedural order and had the proper documentation, which would be submitted to Docket Control at the conclusion of the hearing.

1 Based upon Mr. Davoren's averment, the hearing commenced as scheduled, and at its
2 conclusion, Mr. Davoren was reminded of the necessity to file evidence of mailing and publication of
3 the hearing notice. Mr. Davoren again indicated that he was in possession of the necessary
4 documentation and would proceed to file those documents with Docket Control.

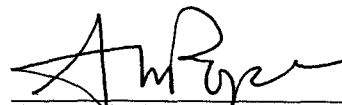
5 To date, however, there is no evidence in Commission records to indicate that Mr. Davoren
6 filed certification of mailing and publication.

7 IT IS THEREFORE ORDERED that certification of mailing and publication shall be filed
8 with the Commission's Docket Control Center **no later than May 23, 2005.**

9 IT IS FURTHER ORDERED that failure to timely file certification of mailing and publication
10 may necessitate notice and a rehearing of this matter.

11 IT IS FURTHER ORDERED that the time clock for processing this application shall be
12 suspended until such time as the proper certification of mailing and publication is filed with the
13 Commission's Docket Control Center.

14 DATED this 14th day of May, 2005.



AMANDA POPE
ADMINISTRATIVE LAW JUDGE

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19 Copies of the foregoing mailed/delivered
this 11 day of March, 2005 to:

20 Edgar M. Delaney
21 Delaney & Melkonoff, P.C.
22 1013 East Washington
23 Phoenix, Arizona 85034
Via Certified Mail
Return Receipt Requested and
First Class Mail

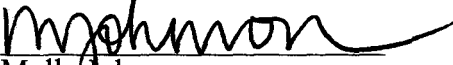
24 R.E. Ward
25 Beaver Valley Water Company
26 P.O. Box 9031
27 Phoenix, Arizona 85068
Via Certified Mail
Return Receipt Requested and
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1 Michael Davoren
2 P.O. Box 421
3 Payson, Arizona 85541
4 **Via Certified Mail**
5 **Return Receipt Requested and**
6 **First Class Mail**

4 Gary F. Crisp
5 882 Beaver Trail Road
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13 By: 
14 Molly Johnson
15 Secretary to Amanda Pope
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